

Approved, SCAO

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STATE OF MICHIGAN

17TH JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS

CASE NO.

20-

02479

-NI

Court address

180 Ottawa Ave NW, Grand Rapids, MI 49503

Court telephone no.
(616) 632-5220

Plaintiff's name(s), address(es), and telephone no(s)

RUTH ANDRELLA
5822 W River Dr NE
Belmont, MI 49306

Defendant's name(s), address(es), and telephone no(s).

TARGET CORPORATION
c/o The Corporation Company
40600 Ann Arbor Rd., E Ste 201
Plymouth, MI 48170

v

PAUL J. SULLIVAN

Plaintiff's attorney, bar no., address, and telephone no

GREGORY A. LIGHT (PS2019)
THE SAM BERNSTEIN LAW FIRM
Attorneys for Plaintiff
31731 Northwestern Hwy, Suite 333
Farmington Hills, MI 48334-2519

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in this court, _____ Court, where

it was given case number _____ and assigned to Judge _____.

The action remains is no longer pending.

Summons section completed by court clerk.

SUMMONS

EXHIBIT

tabbies®

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NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date NOV 10 2020	Expiration date FEB 09 2021	Court clerk LSP DOCTRINE LYONS
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

RUTH ANDRELLA,

Plaintiff,

v

TARGET CORPORATION,

Defendant.

Case No: 20-08479 -NT
Hon. **PAUL J. SULLIVAN**

GREGORY A. LIGHT (P52019)
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There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties, arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this Court.

COMPLAINT

NOW COMES the Plaintiff, RUTH ANDRELLA, by and through her attorneys, THE SAM BERNSTEIN LAW FIRM, PLLC, and GREGORY A. LIGHT for her cause of action against the Defendant, TARGET CORPORATION and respectfully shows unto this Honorable Court as follows:

1. That Plaintiff, RUTH ANDRELLA, is a resident of the City of Belmont, County of Kent, State of Michigan.
2. That Defendant, TARGET CORPORATION is a foreign business entity licensed to do business in the State of Michigan, doing business in the City of Walker, County of Kent, State of Michigan and owns and/or operates the Target Store located at 3248 Alpine Avenue, NW, in the City of Walker, County of Kent, State of Michigan.

THE
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FARMINGTON HILLS,
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A PROFESSIONAL LIMITED
LIABILITY COMPANY

3. That all the acts, transactions and occurrences arose in the City of Walker, County of Wayne, State of Michigan.
4. That the amount in controversy in this litigation exceeds the sum of Twenty Five Thousand (\$25,000.00) Dollars exclusive of costs, interest and attorney fees.
5. That on or about the 14th day of October 2018, said Defendant, TARGET CORPORATION, was then and there the owner, operator and/or in control of the premises located at 3248 Alpine Avenue, NW, in the City of Walker, County of Kent, State of Michigan exercising control over the premises and its team members.
6. That on the aforementioned date, your Plaintiff, RUTH ANDRELLA was lawfully upon the aforescribed premises as a business invitee and while standing in an aisle, was struck from behind by an overloaded large produce fast mover cart that was being pushed by a team member of Defendant believed to be Kim Armack, striking Plaintiff's right foot and right shoulder with great force and violence causing serious injuries.
7. That at all times relevant hereto, the Defendant, TARGET CORPORATION, owed a duty to Plaintiff, RUTH ANDRELLA, a business invitee, lawfully proceeding upon the premises to keep same in a safe condition, free from dangerous conditions then and there existing and free from negligent acts of its employees and team members.
8. That in total disregard of such duties the Defendant, TARGET CORPORATION, at all times material herein, breached said duties in one or more of the following particulars but, not necessarily limited to:
 - a. Negligently, carelessly and recklessly creating a dangerous and hazardous condition to individuals who were on said premises and failing to act with due care, to wit: allowing a team member to move an overloaded produce fast mover in a manner that it violently struck a customer;
 - b. Negligently, carelessly and recklessly maintaining their premises in a dangerous condition and failing to act with due care by allowing its team members to move overloaded produce movers in common areas where customers were known to be, or should have known upon casual

THE
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- n. In otherwise negligently, carelessly and recklessly failing to exert that degree of care, caution and diligence as would be demonstrated by a reasonable prudent business under the same or similar circumstances and in otherwise causing the injuries and damages to Plaintiff as hereinafter alleged;
 - o. Violation of local City and/or Township Ordinances and Building Codes and/or the Michigan Building Code and/or the International Property Maintenance Code;
 - p. Violation of company policies and procedures in the training of team members particularly as it relates to the use and movement of produce fast movers;
 - q. Negligently, carelessly and recklessly being guilty of other acts or negligence currently unknown to Plaintiff but, which will be ascertained through the discovery process.
9. That as a direct and proximate result of the negligent acts and/or omissions on the part of the Defendant, TARGET CORPORATION, Plaintiff, RUTH ANDRELLA, was violently struck with great force and caused to suffer severe, grievous and permanent personal injuries, disability and damages, the full extent and character of which are currently unknown, but which will include but are not necessarily limited to:
- (a) Right shoulder adhesive capsulitis;
 - (b) Right shoulder rotator cuff tendonitis;
 - (c) Right shoulder bicep tendonitis;
 - (d) Right shoulder pain;
 - (e) Right foot injury and pain;
 - (f) Pain, suffering, discomfort, disability, extreme physical and emotional suffering;
 - (g) Severe and continuing embarrassment, humiliation, anxiety, tension and mortification;
 - (h) Loss of the natural enjoyments of life;

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(i) Expenditures for physicians, hospitals, medicinal things and substances.

WHEREFORE, Plaintiff, RUTH ANDRELLA, prays that this Honorable Court award her damages in whatever amount to which she is entitled to receive that exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars, together with costs, interest and attorney fees.

Respectfully submitted,

THE SAM BERNSTEIN LAW FIRM

[Signature] Gregory A. Light

Dated: November 4, 2020

By:

GREGORY A. LIGHT (P52019)

Attorney for Plaintiff

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

RUTH ANDRELLA,

Plaintiff,

v

TARGET CORPORATION,

Defendant.

Case No: 20-~~0847K~~ -NI
Hon.

PAUL J. SULLIVAN

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JURY DEMAND

NOW COMES the Plaintiff, RUTH ANDRELLA by and through her attorneys, THE SAM BERNSTEIN LAW FIRM, by GREGORY A. LIGHT, and hereby respectfully demands a trial by jury in the above-entitled cause of action.

Respectfully submitted,

THE SAM BERNSTEIN LAW FIRM

/s/ Gregory A. Light

Dated: November 4, 2020

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